

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS**

DON'S FRYE, on behalf of herself and)	
all others similarly situated,)	
)	
Plaintiffs)	
)	
vs.)	
)	No: 08 C 213
L'OREAL SA, FRANCE, a French)	
Corporation and L'OREAL USA, INC.,)	
a New York Corporation)	
)	
Defendants.)	
)	

Motion for Reassignment of Related Case

Plaintiff, individually and on behalf of all others similarly situated pursuant to Local Rule 40.4, hereby moves this court to reassign this case to Judge Bucklo, who has a similar previously filed case. The previously filed case, Stella v. LVMH Perfumes and Cosmetics Inc. (07CV6509), involves the same subject matter, series of transactions, and legal issues, though not the same Defendant.

This Motion substantially complies with Local Rule 40.4:

- (1) Both cases involve the same type of property, exceedingly high and undisclosed lead content in the respective brand or brands of lipstick;
- (2) Both cases involve the same issues of fact or law;
- (3) Both cases grow out of the same type of series of transactions or occurrences, purchases of lipstick containing excessive amounts of lead; and
- (4) Both cases are similar class action suits, both cases seek a similar class of lipstick purchasers, though against a different defendant;
- (5) Both cases arise from the same test series of a consumer organization reporting the lead content of various manufacturers, some with no lead, some with small quantities, and some with excessive quantities.

In addition to the above requirements and conclusions, both of these cases are currently pending and the prior case is not in an advanced stage of litigation and transfer would not cause any substantial delay or hardship in the litigation of the action. Moreover, transfer would preserve substantial judicial time and effort.

The Stella and Don'S complaints are attached as exhibits 1 and 2.

Plaintiff's firm was counsel in more than 25 of the residential mortgage escrow cases that had been pending in this district court, in prior years. All were class action cases alleging overcharge of residential mortgage escrow payments by different defendants in each case or group of cases. All such cases were assigned to Judge Zagel.

WHEREFORE, Plaintiff requests this court to transfer this action to Judge Bucklo.

Lawrence Walner & Associates, Ltd.

s/Aaron Walner
One of Plaintiff's Attorney's

Lawrence Walner & Associates, Ltd
150 N. Wacker Drive., Suite 2150
Chicago, IL 60606
T: (312) 201-1616
F: (312) 201-1538
(Attorney Code 10264)